

COUNCIL PROCEEDINGS

MINUTES OF THE MEETING OF THE CITY COUNCIL

Wichita, Kansas, April 27, 1999
Tuesday, 9:04 A.M.

The City Council met in regular session with Mayor Knight in the Chair. Council Members Cole, Lambke, Martz, Pisciotte, Rogers; present. *Council Member Gale absent.

Chris Cherches, City Manager; Gary Rebenstorf, Director of Law; Pat Burnett, City Clerk; present.

The invocation was given by Mayor Knight.

The pledge of allegiance to the flag was participated in by the Council Members, staff, and guests.

*Council Member Gale present.

Minutes -- approved The minutes of the regular meeting of April 20, 1999, were approved 7 to 0.

AWARDS AND PRESENTATIONS

PROCLAMATIONS Mayor Knight presented the Proclamations that were previously approved.

GOOCH SCHOLARSHIP Mayor Knight presented the Costal-Gooch Scholarship Award.

PUBLIC AGENDA

COMMENTS BY HOWARD TICE.

Howard Tice Howard Tice, 4840 Kimberly Lane, requested appeal of the storm water management fee assessed against his property. Mr. Tice said the property is not serviced by the system.

Council Member Cole Council Member Cole reviewed things done in the area over the last four months including removing silt, cleaning the drainage easement, cleaning 23 culverts, and completing a survey of the area, all involving over 100 labor hours and 47 equipment hours.

Those kinds of things do improve the situation over all and persons in the area should be asked to contribute to the City-wide improvement.

Gary Rebenstorf Director of Law said that when the Ordinance was adopted, the City Council made findings and declared that the entire City benefits.

No further action was taken on this Item.

NEW BUSINESS

TRANSPORTATION SYSTEMS PRESENTATION OF INTELLIGENT TRANSPORTATION SYSTEMS REPORT.

David Hill David Hill, Associate Vice President with HNTB, reviewed the report.

Computers, communications, and process control technologies are being used to improve the efficiency and safety of transportation systems. These advanced technologies are generally components of an Intelligent Transportation System (ITS).

The purpose of the ITS Early Deployment Study for the Wichita metropolitan area is to identify the ITS user services appropriate for Wichita and to develop a Strategic Deployment Plan to provide these user services.

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The existing highway system in the Wichita metropolitan area includes both extensive freeway and arterial facilities operated and maintained by KDOT, KTA, the City of Wichita, and Sedgwick County. Much of the congestion experienced in the area is related to incidents on these systems. There area, however, areas that do experience recurring congestion, such as US 54 (Kellogg Avenue) to the east of downtown and at the I-235 interchange. Transportation improvement projects outlined in the 2020 Transportation for the Wichita-Sedgwick County Metropolitan Area are anticipated to mitigate the growth of the recurring congestion areas.

The highest priority user services, based on agency rankings, are traffic control, emergency vehicle management, hazardous material incident response, incident management, and highway-rail intersection. The user services address both recurring and incident related congestion, as well as contribute to the prompt identification and removal of incidents and enhance the safety of motorists and agency personnel.

The major short term activity is implementation of a freeway management system in the Wichita metropolitan area, mainly along I-135 through the center of Wichita. This facility carries high traffic volumes and has a high occurrence of accidents. System components have been identified for a system that provides coverage of the entire metropolitan area. The proposed ITS addresses incident detection, confirmation, and response, and includes vehicle detectors, closed circuit television cameras, highway advisory radio, variable message signs, and a traffic/emergency operations center.

Following adoption and approval of the recommendations contained in the study by the appropriate state and local agencies, the next step will be to secure the funding for implementation. The applications are expected to be incrementally deployed so the cost of implementation can be spread out over time.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion -- carried

Knight moved that the report be received and filed. Motion carried 7 to 0.

CITY CREDIT CARD PROGRAM CITY CREDIT CARD PROGRAM.

Cathy Holdeman

City Managers Office reviewed the Item.

Agenda Report No. 99-387.

Many businesses and organizations have issued credit cards under their own names. Easily recognized programs include GM and AT&T credit cards. It is not uncommon to see cards issued by universities, or other large organizations. Businesses and other organizations issue credit cards for several reasons. The cards increase name recognition for the organization issuing the card. Additionally, they may make customers more Aloyal® to products or services provided. Finally, the organization issuing the credit card benefits as they receive a percentage of revenue from the credit card sales.

Aside from convenience, customers take credit cards because they are often offered attractive interest rates, valuable rebates or other rewards, such as product discounts, free merchandise, or in some instances money back on purchase volume.

It is proposed that the City of Wichita implement a Credit Card Program and allocate revenues from such a program to designated services, focusing on areas of public art, cultural, recreational and entertainment activities. In a very limited way, the City is already involved in a credit card program with its use of its Apurchasing® card. This card is used by authorized employees for various purchases (materials, supplies, travel, etc.), thus reducing transaction and accounting costs. It allows the City to have a consolidated statement and a reporting device on a monthly basis and is a more efficient and expedient way to initiate certain routine purchases.

City management needs to continually find new and different ways of doing business to address the many changes occurring in our community. The City must be able to adapt to the information revolution, changing demographics, and continued technology advancements. As an attempt to address the opportunities put forth by our changing environment, it is being proposed that the City develop a new and innovative program based upon concepts used in the private sector and a limited number of non-profit organizations. The proposed program is a Credit (affinity) Card Program to be issued under the City of Wichitas name and a major credit card name (VISA or Master Card).

The idea of the City as the issuer of a credit card could be financially beneficial as the City will derive revenue from cardholder purchases. (Revenue is rebated back

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to the City from the issuing bank.) Revenue is based upon the number of cards

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issued, and the usage volume of the credit card. The more cards that are issued and the more the card is used, the more revenue the City will receive. This revenue could allow the City to accomplish some special projects or programs, such as funds for the arts, culture, recreation, and entertainment.

To encourage individuals to apply for a City credit card, the City must develop an attractive incentive package. Incentives could include discounts at golf courses or other recreational programs, discounts on local museum purchases and memberships, discounts on cultural and entertainment activities, to name a few. The City will need to develop partnerships with arts, cultural and entertainment providers to create the volume and quality of incentives that have value to the cardholder. The greater the value proposition, the more likely the card will be used, and correspondingly the larger financial rebate to the City and its designated program recipients.

Preliminary research has been conducted to assess the viability of a City Credit Card Program. Other cities have investigated the issuance of credit cards and a limited number of programs have been initiated. The research indicates that the few cities which have initiated a credit card programs have used them as a secondary revenue source to fund a specific cultural attraction. The revenues derived from those programs have not been as significant as what is anticipated for the City of Wichita Credit Card Program.

Research from a local consultant in the credit card business, has indicated that major national banks, whose primary focus is issuing consumer debt (credit cards), are now interested in working with local units of government. One major bank has initiated a discussion with the consultant relating to multiple use cards (enhanced magnetic striped cards, or smart cards) and is considering a test market, which could be the City of Wichita. In essence, the credit card could be combined with a smart card (which has stored value) and could be used to pay for bus fares, library fines, golf course fees etc.) Thus, the market for issuers of credit cards, appears to be more favorable to municipalities, especially with the advent of emerging technology and the growth of electronic commerce.

Discussions were recently held with two of Wichita's largest financial institutions, Commerce Bank and Intrust Bank. Commerce Bank noted that they have limited experience in the credit card market. They affirmed that the pool of card holders and the incentive package offered is critical to the success of a card. The bank expressed that its interest would be contingent upon the City guaranteeing the Bank a certain amount of business from the card.

Intrust Bank has more experience with issuing credit cards; it currently issues the KU and K-State affinity cards. Before Intrust would consider working with the City on a credit card program, they would need to know more about the specific incentives to be offered. This bank would also want to have financial projections based upon the number of cards issued and the dollar transactions associated with the cards, as well as potential revenue from incentive partners.

Based upon the research completed with local banks, and a review of market trends in the larger credit card market, it is proposed that the City retain the assistance of an experienced consultant if it is to move forward with development of the Credit Card Program. A local firm, Marketing & Business Administrators, Inc. (MBA) has extensive experience in this area and would be able to guide the future course of action for the City. Specific responsibilities would include: affirmation of the City's goals for the credit card program; research and development of the enhancement partners; research and recommendations on product technology (mag striped and smart cards) and uses; development of an RFP to financial institutions; evaluation of proposals with a recommendation to the City; contract negotiations with the successful financial institution and association (VISA or MasterCard); participation agreements with the enhancement partners; card design; card roll out; and initial maintenance.

The cost associated with the development of a City Credit Card program are primarily for developing and negotiating the incentive package involved with credit cards and the appropriate banking institution. Professional services for consulting services will be required to assist Staff in moving forward on this project. It is estimated that it will require over 500 hours along with other necessary services to bring this project to fruition. Of course, if it is determined that there is no market or the necessary incentives can be developed, this project can be abandoned without the necessity of spending additional funds.

Staff is seeking an allocation not-to-exceed \$75,000 to develop and market this credit card program. Significant revenues from this program are anticipated once the card is developed. Revenues (based upon a negotiated percentage, the issuing bank will rebate a percentage of the revenue back to the City) will be dependent

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upon the volume of card holders and the dollars spent by persons using the card. Implementation funds are proposed to be taken from General Fund reserves; These funds will be reimbursed from initial proceeds of the credit card income.

The City would have no legal liability for card holder who do not pay their bills.

Mayor Knight momentarily absent with Vice Mayor Rogers in the Chair.

Council Member Martz	Council Member Martz said improper use of credit cards is the number one financial problem for citizens. Council Member Martz spoke in opposition to additional credit cards being made available.
Mayor Knight	Mayor Knight inquired if anyone wished to be heard and no one appeared.
Mayor Knight	Mayor Knight said he would support the Manager in at least taking this a step further.
Council Member Lambke	Council Member Lambke said he agreed with Council Member Martz; however, one more credit card being made available to the public will not increase abuse.
Council Member Rogers	Council Member Rogers said he would like to have the City pursue the possibility of using the funds received to offset the interest charged to citizens who use the card.
Motion -- -- carried	Knight moved that initiation of the credit card program and a contract with the consultant for development services be authorized. Motion carried 6 to 1. Martz - No.

CITY COUNCIL AGENDA

HYDRAULIC RECONSTRUCTION RECONSTRUCTION OF HYDRAULIC, FROM MACARTHUR TO SOUTH CITY LIMITS. (Requested by Council Member Lambke)

Council Member Lambke Council Member Lambke reviewed the Item.

Agenda Report No. 99-388.

The 1998-2007 Capital Improvement Program includes funding to upgrade South Hydraulic Street to a four lane roadway. The portion of Hydraulic from MacArthur to 47th Street South is programmed for construction in 2005; from 47th Street South to south of 55th Street South is scheduled for 2007. Prior Capital Improvement Programs in the late 1980's included construction of Hydraulic Street at earlier dates. In 1989, the project was deleted primarily because of the high cost and need of associated drainage improvements and the relatively low growth in traffic volumes. It was reinstated in 1991 with construction scheduled for the year 2000. After the 2020 Transportation Plan was adopted by the City Council in 1994, other projects with higher priority ratings (i.e. traffic volumes, safety, and traffic growth rates) pushed this project further into the future and, in the most recent approved Capital Improvement Program, it was scheduled for the years 2004-2007.

The area surrounding Hydraulic is comprised primarily of mixed-type residential neighborhoods. Much of the area was originally developed outside the City without adequate drainage systems. Development activity and traffic volumes are increasing, but not as rapidly as many other parts of the City. Since 1988, traffic volumes in the portion of Hydraulic - from MacArthur to 47th Street South - have dropped from 5-16%. The latest available counts show 24-hour two-way traffic counts of about 9,100 vehicles/day north of 47th Street and 10,000 vehicles per day south of MacArthur. In the same time period, traffic volumes in the section of Hydraulic from 47th Street South to 55th Street South have increased from 10-19%. The latest counts are 7,500 vehicles/day north of 55th Street and 12,900 vehicles/day south of 47th Street. These numbers indicate that the most critical section of Hydraulic is south of 47th Street South.

Although development and growth in traffic volumes have been the primary concerns expressed by many of the residents of this area, an adequate drainage system is a prerequisite for any street construction and is an overriding financial issue and budget concern. This area is not unlike what the same area of South Seneca was until drainage and paving improvements were constructed in that there are many unpaved residential streets and nonexistent and/or inadequate drainage systems. Solving these drainage problems will require a significant investment. Should the City Council desire to begin work towards designing and constructing the required drainage systems to allow for street construction, Staff would recommend contracting for a drainage study which would reflect the area drainage needs involved with this project, followed by the design of the required drainage

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facilities. Following this pre-Hydraulic construction drainage system, the design of the pavement reconstruction could follow.

Should the City Council wish to reschedule this project, the Capital Improvement Program would have to be amended to program necessary costs associated with this project. An accelerated implementation schedule and estimated costs follows:

1999	Drainage Study/Paving Design		\$ 350,000
2000	Right-of-way/Utility Relocation Costs	Unknown	
2001	Drainage Construction		\$6,000,000
2002	Paving (one mile)		\$2,500,000
2003	Paving (one mile)		\$2,500,000

Funding for the drainage design and construction is not currently budgeted in the Capital Improvement Program, nor contemplated in the current Storm Water Utility fee structure. Funding options are to include this work to compete with other projects utilizing General Obligation bond funding, programming it to compete with other Storm Water Utility fee funded projects, or to increase the Storm Water Utility fee to cover the increased cost.

The current Capital Improvements Program(CIP) is currently under review for capital budgeting for the next two years. Planning for Hydraulic Street (drainage and construction) could be included in the CIP if it is the intention of the City Council to advance this project. Because of the significant costs involved with this project, some additional revenue sources may be required to complete the priority capital needs already established by the City Council.

Steve Lackey Director of Public Works said two of the considerations in how the project is to be programmed would be evaluation of traffic volumes and drainage. The area has no underground drainage system and would require a pump station to drain the water into the river.

Because of the drainage problems, the project kept falling back in the CIP.

Mayor Knight Mayor Knight inquired whether anyone wished to be heard.

Lynn Wassinger Lynn Wassinger, representing the South End organization, said there is a desperate need for street, drainage, and sidewalk improvements in the area, and requested the project be moved up in the CIP.

Dr. Terry Holter Dr. Holter, representing the South Wichita Business Association, said Hydraulic has been a major concern for six to seven years. There are security and safety problems for the schools. Development in the area is increasing dramatically. Hydraulic will be a major street with the new development.

Mayor Knight Mayor Knight requested that Staff identify financial options to support the project and asked that the City Manager return to the Council with possible actions.

Council Member Rogers Council Member Rogers said he needed all the information possible on whether the County would participate if the City approved the project(s) in segments.

Motion -- Lambke moved that City Staff advance design of the drainage and paving for south Hydraulic Avenue, from MacArthur south to the Wichita City Limits, to 1999, and that Staff coordinate this project with the appropriate departments of Sedgwick County to ensure a contiguous design and construction to 63rd Street South; and the construction phase of the drainage and paving be referred to the CIP Committee to incorporate the project in the CIP Program for beginning in the year 2000 and continuing on an even basis until conclusion. Motion carried 7 to 0.

-- carried

PROCLAMATIONS

PROCLAMATIONS:

--Law Enforcement Memorial Day
--Public Works Week
--Preservation Week

Motion -- carried Knight moved that the Proclamations be authorized. Motion carried 7 to 0.

CONSENT AGENDA

Knight moved that the Consent Agenda, including Addendum Item 21a, except Item 13 , be approved in accordance with the recommended action shown thereon. Motion carried 7 to 0.

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BOARD OF BIDS

REPORT OF THE BOARD OF BIDS AND CONTRACTS DATED APRIL 26, 1999.

At 10:00 a.m., Friday, April 23, 1998, pursuant to advertisements published, bids were received, publicly opened, read aloud and tabulated for the Board of Bids and Contracts:

(Ref: Bid analysis report attached to Board of Bids Minutes April 26, 1999)

PUBLIC WORKS DEPARTMENT/ENGINEERING DIVISION: Sewers, Paving and Water Mains as per specifications

Water distribution system on Edwards Avenue, south of May, Southwest Industrial Park - west of Meridian, south of K-42. (448-89371/734916/470586) Does not affect existing traffic. City Council approval date: 3/2/98. (District IV)

Ditch Diggers LLC - \$10,481.50

1999 sanitary sewer reconstruction program, Phase 1 - north of Kellogg, east of Broadway. (468-82970/620258/669383) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 1/26/99. (Districts I, IV, VI)

WB Carter Construction - \$426,027.00 (Negotiated to Engineers Estimate)

Lateral 289, Southwest Interceptor Sewer to serve Harvest Chapel Addition - 55th Street South and Seneca. (468-82033/740381/480128) Traffic to be maintained through construction. City Council approval date: 1/23/90. (District IV)

H D Mills & Sons - \$7,290.00

Rita from the west line of Lot 12, Block 1 to the west line of Stony Point Lane; Stony Point Circle from the south line of Rita to and including cul-de-sac; Stony Point Lane from the south line of Rita to the west line of Rita; and Jewell Court from the south line of Lindsay's Orchard Addition - north of Pawnee, west of Maize. (472-83058/765567/490678) Does not affect existing traffic. City Council approval date: 1/12/99. (District V)

Asphalt Construction Company - \$131,707.30

1999 Sanitary Sewer Reconstruction Program, Phase 2, Eaton Place - south of Douglas, east of Broadway. (468-82978/620261/669386) Traffic to be maintained during construction using flagperson and barricades. City Council approval date: 1/26/99. (District I)

Mies Construction - \$32,900.00

Wild Rose from the south line of Lot 81, Block 4 and the south line of Lot 18, Block 6, to the north line of Lot 76, Block 4 and the north line of Lot 14, Block 6; Forest Lakes from the south line of Lot 48, Block 3, and the south line of Lot 7, Block 6, to the north Forest Lakes Addition - north of 29th Street North, west of Ridge. (472-82326/765568/490679) Does not affect existing traffic. City Council approval date: 4/6/93. (District V)

Cornejo & Sons Construction - \$131,356.45 (Base Bid Alternate #1 with Add Alternate #1)

Knight moved that the contract(s) be awarded as outlined above, subject to check, same being the lowest and best bid within the Engineer's construction estimate, and the Mayor be authorized to sign for the City. Motion carried 7 to 0.

PUBLIC WORKS DEPARTMENT/FLEET & BUILDINGS DIVISION: Exterior Ramp Handrails; ADA Handicap Improvements (600668)

Litco, Inc. - \$117,460.00 (Total Net Base Bid)
 - \$ 48,300.00 (Option #1/Lump Sum Add)
 - \$ 36,240.00 (Option #2/Lump Sum Add)

WATER & SEWER DEPARTMENT/SEWAGE TREATMENT DIVISION: Ferrous Chloride (184754)

Eaglebrook, Inc. - \$0.195 (Base Bid Per Pound of Iron)

WATER & SEWER DEPARTMENT/SEWAGE TREATMENT DIVISION: Polymer for Use in Wastewater Solids Dewatering Facility (184754)

Polydyne Inc. - \$5.4995 (Item #1/Per Net Dry Ton Treated)

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WATER & SEWER DEPARTMENT/WATER DISTRIBUTION DIVISION: Meter Box Rings, Lids and Risers (181222)

Clay & Bailey Mfg. Co. - \$17.45* (Item #1/Per Each)
 - \$ 4.00* (Item #2/Per Each)
 - \$ 6.00* (Item #3/Per Each)

*Plus applicable sales tax

GENERAL GOVERNMENT DEPARTMENT/PROPERTY MANAGEMENT DIVISION: Lawn Mowing, Trimming & Edging at Various Locations (205021)

Deluxe Lawn & Landscape - \$450.00 (Total Group II/Per Mowing)
 Cameron Lawn Service - \$11.00 (Total Group III/Per Mowing)

PUBLIC WORKS DEPARTMENT/MAINTENANCE DIVISION: Glass Beads for Traffic Line Paint (132217)

Flex-O-Lite, Inc. - \$0.1761 (Cost Per Pound)

WATER & SEWER DEPARTMENT/PRODUCTION & PUMPING DIVISION: Water Well Piping (181222)

Layne Western Company - \$33,985.20*

*Plus applicable sales tax

Knight moved that the contract(s) be awarded as outlined above, same being the lowest and best bid, and the necessary signatures be authorized. Motion carried 7 to 0.

LICENSE APPLICATIONS

APPLICATION FOR LICENSE FOR ADULT ENTERTAINMENT ESTABLISHMENTS/SERVICES

Renewal-Escort Service 1999

Arlando Trotter Mustang Ranch 7820 Southwest Boulevard

Motion -- Knight moved that the license be approved subject to Staff review and
 -- carried approval. Motion carried 7 to 0.

APPLICATIONS FOR LICENSES TO RETAIL CEREAL MALT BEVERAGES:

Renewal 1999

(Consumption on Premises)

Randy Chiao Happy King Chinese 318 West 29th Street North
 Restaurant*

(Consumption off Premises)

Son Binh Tran KC Gas & Groceries #3 1955 South Washington

*General/Restaurant -- 50% or more of gross receipts derived from sale of food.

Motion -- Knight moved that the licenses be approved subject to Staff review and
 -- carried approval. Motion carried 7 to 0.

PLANS AND SPECIFICATIONS PLANS AND SPECIFICATIONS.

1999 sanitary sewer rehabilitation program, Phase C - north of 13th Street, east of Hydraulic and Bayley Street. (468-82992/620259/669384) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 1/26/99. (District I)

Motion -- Knight moved that the Plans and Specifications be approved and the City Clerk be
 -- carried instructed to advertise for bids to be submitted to the Board of Bids and Contracts by 10:00 a.m., May 7, 1999. Motion carried 7 to 0.

SUBDIVISION PLANS AND SPECIFICATIONS:

a. Lateral 21, Main 13, Southwest Interceptor Sewer to serve Hunters Ridge and Pawnee Mesa Additions - north of Pawnee, west of Maize. (468-82971/743795/480483) Does not affect existing traffic. City Council approval date: 3/30/99. (District V)

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- b. Water distribution system to serve Hunters Ridge and Pawnee Mesa Additions - north of Pawnee, west of Maize. (448-89374/734922/470592) Does not affect existing traffic. City Council approval date: 3/30/99. (District V)
- c. Storm Water Sewer #501 to serve Prairie Woods 2nd Addition (north of Pawnee, west of Maize Road). (468-82824/751273/485164) Does not affect existing traffic. City Council approval date: 4/14/98. (District V)
- d. Stoney Point from the north line of Pawnee to the south line of Lot 12, Block 3; Westgate from the west line of Stoney Point to the south line of Haskell; Westgate Circle from the north line of Haskell to and including the cul-de-sac, serving Lots 1-18, Block 5; Haskell from the east line of Lark to the west line of Lot 22, Block 5; and Sidewalk on both sides of Haskell from the east line of Lark to the west line of Lot 22, Block 5 Prairie Woods Second Addition - north of Pawnee, west of Maize. (472-82934/765548/490659) Does not affect existing traffic. City Council approval date: 4/14/98. (District V)
- e. Harborlight Street from the east line of Meridian to the south line of Lot 53, Block 2, and Harborlight Courts serving Lots 1 through 6, Lots 11 through 22, Lots 25 through 35, and Lots 38 through 44, Block 2 Harbor Isle Second Addition -east of Meridian, south of 53rd Street North. (472-89251/765040/490606) Does not affect existing traffic. City Council approval date: 5/19/98. (District VI)
- f. Storm Water Sewer #517 to serve Harbor Isle Second Addition - east of Meridian, south of 53rd Street North. (468-82916/751272/485163) Does not affect existing traffic. City Council approval date: 1/12/99. (District VI)

Motion -- Knight moved that the Plans and Specifications be approved and the City Clerk be instructed to advertise for bids to be submitted to the Board of Bids and Contracts by 10:00 a.m., May 7, 1999. Motion carried 7 to 0.

-- carried

- a. Meridian Avenue, I-235 to north City limits - Meridian north of I-235. (87 STP-N-0116-01, 472-82789/706531/405207) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 7/14/98. (District VI)

Motion -- Knight moved that the Plans and Specifications be approved and the City Clerk be instructed to advertise for bids to be submitted to the Board of Bids and Contracts by 10:00 a.m., May 28, 1999. Motion carried 7 to 0.

-- carried

PRELIMINARY ESTIMATES

PRELIMINARY ESTIMATES:

- a. Smith, from the north line of 12th Street North to the south line of 13th Street North R. A. Morris Tracts Addition - South of 13th, east of Hoover. (472-82944/765248/490626) Traffic to be maintained through construction. City Council approval date: 8/11/98. (District V) - \$113,400
- b. Lateral 10, Main 17, Southwest Interceptor Sewer to serve Forest Lakes Addition - north of 29th, west of Ridge. (468-82308/743790/480478) Does not affect existing traffic. City Council approval date: 4/6/93. (District V) - \$54,000
- c. Water distribution system to serve Forest Lakes Addition - north of 29th Street North, west of Ridge. (448-88707/734913/470583) Does not affect existing traffic. City Council approval date: 4/6/93. (District V) - \$29,000
- d. Charles from the north line of 55th Street South, north to the south line of Lockwood; Lockwood from the west line of Charles, east to the east line of Vine; Vine from the south line of Lockwood, south Simmons Park Addition - north of 55th Street South, east of Meridian. (472-82954/765503/490652) Does not affect existing traffic. City Council approval date: 6/23/98. (District IV) - \$610,000

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- e. Glen Creek from the east line of Rocky Creek Parkway, and Glen Creek Court from the south line of Glen Creek to and including the cul-de-sac Rocky Creek Third Addition - north of 13th, east of 127th Street East. (472-83056/765553/490664) Does not affect existing traffic. City Council approval date: 1/26/99. (District II) - \$401,800

Motion --
-- carried

Knight moved that the Preliminary Estimates be approved and filed. Motion carried 7 to 0.

BOARDS MINUTES

MINUTES OF ADVISORY BOARDS/COMMISSIONS:

CPO Northeast 1, 4-12-99
CPO East 2, 4-12-99
CPO Northwest 5, 4-14-99
CPO North Central 6, 4-14-99
Metropolitan Area Planning Commission, 2-25-99
Wichita Historic Preservation, 3-8-99

Motion -- carried

Knight moved that the Minutes be received and filed. Motion carried 7 to 0.

(Item No. 21)

STREET CLOSURES/USES

STREET CLOSURE OF DOUGLAS AND WACO INTERSECTION. (District I)

Mayor Knight left the Bench; Vice Mayor Rogers in the Chair.

Steve Lackey

Public Works Director reviewed the Item.

Agenda Report No. 99-389.

Dondlinger Construction is continuing to advance the construction of the Douglas Street Bridge toward the target date of May 3rd to allow one lane of east/west traffic. Ritchie Paving has contracted with the City to accomplish surface milling and overlay of asphalt streets at various locations. Because the intersection of Douglas and Waco is identified to be milled and overlaid, Ritchie Paving is requesting the Partial Closure of the intersection on Monday, April 26th to accomplish the surface milling. A Total Closure of the intersection is requested between 8:30 a.m. to 4:00 p.m. Tuesday, April 27th to accomplish the asphalt surface placement.

The contractor is coordinating this work with the Broadview and Hyatt Hotels and Century II to minimize the closure impact. Ritchie Paving will be responsible for construction, signing, and barricading and continued coordination with adjacent businesses.

The project is being funded by budgeted Street Maintenance Funds.

Motion --
-- carried

Rogers moved that the partial street closure April 26th and the total street closure April 27th be approved. Motion carried 6 to 0. (Knight absent)

(Mayor Knight present and in the Chair.)

CLOSURE OF 13TH STREET AT THE EAST SIDE OF ZOO BOULEVARD.

Agenda Report.

Ritchie Paving has contracted to accomplish the improvement of Zoo Blvd. between 12th Street and I-235. The east/north side of Zoo Blvd. is being constructed at this time and it will soon be necessary to construct the east half of the Zoo Blvd. and 13th Street intersection. The Contractor is requesting the closure of 13th Street at the east side of Zoo Blvd., as is allowed by the project specifications. The Street Closure will be from approximately 9:00 a.m., Monday, May 3, 1999 through Friday, June 11, 1999.

At the present time, the interchange of I-235 and Zoo Blvd. is open to traffic and is expected to remain open throughout the period of the 13th Street closure. Westdale is expected to open April 29th. However, because the available area for left turn storage is insufficient, southbound Zoo Blvd. left turns to Westdale will be prohibited. Motorists who wish to travel east on 13th Street or Westdale will be required to proceed south on Zoo Blvd. to West St. Westbound 13th Street traffic will be detoured south on West St. to Zoo Blvd. The Contractor is responsible for necessary closure barricades and detour signing. A message board will be placed near the 13th and Zoo Blvd. Intersection to advise motorists of the upcoming closure approximately 7 days in advance of the closure.

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Motion -- carried
DATA/COMPUTER

Knight moved that the street closure be approved. Motion carried 7 to 0.
UPGRADE FOR EXPRESS OFFICE EQUIPMENT.

Agenda Report No. 99-390.

The Water and Sewer Department purchased a NCR 7780 remittance processor with image capabilities and an archive system in 1997. This system is operated by the Express Office, which is part of the Finance Department, and is used to process approximately 1.2 million water payments each year. During staffs Year 2000 analysis, it was found that the equipment needed upgrades to be compliant for Y2K and a modification was needed to allow for purging of old data.

Wausau Financial Systems is the vendor that provides technical assistance and maintenance for the remittance processor. The company will perform the necessary upgrades and conduct testing on this equipment to bring it into compliance for Y2K at a cost of \$16,910.00 and perform the modifications for purging of old data at a cost of \$1,110.00. Both items will be complete at a cost not to exceed \$18,020.00. The software is proprietary, therefore, Wausau Financial Systems is the only vendor to be considered for this project. To meet the City of Wichita's Year 2000 compliance deadline of June 30, 1999, work must be scheduled by May 1, 1999. Funding for the Y2K compliance issues of \$16,910.00 will be paid out of the Water Utility Fund while the purging modification for \$1,110.00 will be paid for by the Finance Operating Budget.

Motion --
-- carried

Knight moved that the Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

MT. HOPE CONTRACT

ANIMAL SHELTER SERVICES CONTRACT FOR THE CITY OF MOUNT HOPE.

Agenda Report No. 99-391.

The City of Mount Hope has requested that the Health Department, through the Wichita Animal Shelter, provide animal shelter services for Mount Hope. In addition to serving citizens of Wichita, the animal shelter currently provides animal shelter services for the Sedgwick County program serving unincorporated areas and the cities of Clearwater and Park City. These services are provided under contract between the Health Department and the respective jurisdiction, and were previously approved by the Council. Additional agreements are pending with Eastborough and Maize. The Animal Control Program is not a City-County function and is funded strictly by program generated revenue (e.g., dog owner licenses, redemption and boarding fees, shelter contracts) and general City of Wichita tax support.

Use of a central shelter facility by multiple jurisdictions minimizes administrative overhead, and provides a central point of contact for citizens redeeming strays, searching for lost animals, or seeking to adopt pets. This system provides better customer service at a lower cost, and represents intergovernmental cooperation at the operational level.

The charge to Mount Hope of \$ 20.00 per animal will allow total cost recovery for the services provided, including administrative overhead. In addition to the \$20.00 per animal charge, Mount Hope will pay the actual costs of any rabies testing required for animals picked up within their jurisdiction.

Motion --
-- carried

Knight moved that the Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

CITY HALL CAFETERIA

CONTRACT FOR MANAGEMENT OF FOOD SERVICE.

Agenda Report No. 99-392.

The City Hall Cafeteria operated from the time City Hall first opened in November 1975 through 1996, under several operators. The cafeteria closed in late 1996 after the last two operators experienced losses. No operator was found to continue the cafeteria given the age and condition of the furnishings and equipment. The City expended funds to remodel the space, update the furnishings and refurbish kitchen equipment as necessary.

The Bistro offers employees and visitors in City Hall a good environment, variety of food choices, and competitive prices; however, the Bistros traffic and gross operational receipts have been insufficient to maintain a suitable food operation.

The Bistro operators have indicate they are not in a financial position to continue to operate under the current lease agreement (unless it includes a 30-day

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notice and escape clause) due to the high risk of operating losses. To ensure continued operation of the Bistro (or any food service in City Hall) will require the City to consider some form of guaranteed minimum. Under the terms of the agreement, in weeks when the operator achieves a weekly gross of (at least) \$4,300, the City would pay no support. For weeks that may fall below this threshold, the City would support the difference with a weekly minimum. The Operator and City would also work to improve marketing of the Bistro to attract additional food business, so as to minimize any monthly support. A City Hall food service may not be viable as a stand-alone enterprise without City assistance. A contract amendment has been negotiated with the Bistro operator for the City to provide financial assistance.

Under the terms of the proposed agreement, the City's commitment would not exceed \$30,000, but could be less based upon the gross income threshold. Funding for the food service financial support will come from the General Fund.

Motion --
-- carried

Knight moved that the Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

POLICE GRANT

SAFE AND DRUG-FREE SCHOOLS & COMMUNITIES GRANT APPLICATION.

Agenda Report No. 99-393.

The Safe & Drug-Free Schools & Communities Grant Program is administered by the Attorney General of Kansas. The program provides grants to assist programs in providing services to at-risk youth to reduce the incidence of drug abuse and violence.

The Police Department's School Liaison Section provides services such as the D.A.R.E. program to youth in Wichita's schools to reduce the incidence of drug abuse and violence. To continue and expand upon current efforts, the Police Department is seeking the following through the Safe & Drug-Free Schools & Communities Grant Program: \$13,120 to fund the purchase of D.A.R.E. workbooks, teaching materials, and brochures; \$6,840 to fund the purchase of a laptop computer, software, and LCD projector, to provide for enhanced classroom presentations; total funding requested is \$19,960.

The grant, if received, will fund the entire cost of the proposal and no local match is required.

Motion --
-- carried

Knight moved that the grant application and receipt of funds be approved and the necessary signatures be authorized. Motion carried 7 to 0.

CONTRACT MAINTENANCE

1998 CONTRACT MAINTENANCE PROGRAM - MANHOLE AND WATER VALVE ADJUSTMENTS (Districts III & VI)

Agenda Report No. 99-394.

On December 16, 1997, the City Council approved a project to repair streets at various locations by milling the pavement and applying an asphalt overlay. It has been determined that the project should be expanded to include manhole and water valve adjustments for repair work at Pawnee and Park Place Streets. This will ensure a smooth driving surface.

A Change Order has been prepared to authorize the additional repair work.

The cost of the additional work is \$39,450. The funding source for manhole work will be the Sewer Utility Fund and for the water valve adjustment work, the Water Utility Fund.

Motion --
-- carried

Knight moved that the Change Order be approved and the necessary signatures be authorized. Motion carried 7 to 0.

CHANGE ORDER

CHANGE ORDER: WILSON ESTATES PARKWAY - SOUTH OF 21ST STREET, EAST OF ROCK ROAD. (District II)

Agenda Report No. 99-395.

On July 1, 1997, the City Council approved a contract to pave Wilson Estates Parkway in Wilson Farms Addition, a new single-family residential development. A portion of the road is adjacent to an office park.

The Developer has requested that the project be expanded to include an ornamental

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berm on the north side of the roadway, and additional dirt fill for low areas on adjacent lots.

The cost of the additional work is \$33,560 and is to be paid by special assessments to Wilson Farms Addition.

Motion --
-- carried

Knight moved that the Change Order be approved and the necessary signatures be authorized. Motion carried 7 to 0.

MAAIC CROSSWALK

MID-AMERICA ALL-INDIAN CENTER, INC. SIGNALIZED CROSSWALK. (District VI)

Agenda Report No. 99-396.

Mid-America All-Indian Center: Crosswalk (District VI)

As part of the overall Museum District, an additional parking area has been constructed (above the water reservoir) on the west side of Seneca, north of the Arkansas River. Improvement plans for this area reflect a walkway plaza which has been deferred pending the architectural layout/plans for the proposed American Overseas Schools Historical Society Museum (AOSHS). However, because this added parking serves the Indian Center, safety concerns exist for persons crossing Seneca Street which is a heavily traveled arterial street. The proposed signalized crosswalk is needed to provide safe pedestrian access apart from the Seneca/Stackman and Central Intersections.

The proposed plans provide for a crosswalk that will connect to the parking. An overhead traffic signal will be installed at this location. Other improvement plans budgeted for this location will be deferred until such time as the overall AOSHS plans are completed and construction begins.

The estimated project cost for the signalized crossing is \$40,000 with the total funded by the City. The funding source for the City share is General Obligation Bonds.

Motion --
-- carried

Knight moved that the project be approved and the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. R-99-140

A Resolution authorizing the issuance of bonds by the City of Wichita at large for public improvements at the Mid-American All Indian Center (Project No. 472-83097) Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

REPAIRS TO CHENEY DAM

REPAIRS TO CHENEY DAM.

Agenda Report No. 99-397.

Cheney Reservoir is a vital component of the City's water supply system. In 1998 it provided over 65% of the City's water supply. The dam was constructed in 1995, and was funding by the Bureau of Reclamation, with cooperative funding from the City of Wichita. As part of the construction agreement, the City is responsible for maintenance of the dam.

In 1998 the Bureau of Reclamation inspected the dam and facilities at Cheney, and prepared the ~~A~~Comprehensive Facility Review for Cheney Dam. That report included an observation about the condition of the dam. It states "...damage to the soil-cement slope protection on the upstream face by wave action and freeze thaw activity continues; the damage presents a potential threat to the integrity of the dam if the dam core material is eroded by wave action at locations where the slope protection has been completely removed. It is recommended that the reservoir be lowered sufficiently to determine the extent of damage to the slope protection, and that repair methods be developed to prevent erosion of the embankment core material. It is also recommended that the areas of most severe damage to the slope protection be repaired using funds to be budgeted by the City of Wichita".

Cheney Reservoir is an important component of the City's water supply, and lowering the reservoir could have a significant impact on available water supplies. At conservation pool, the reservoir holds approximately 170,000 acre feet of water (55,540 million gallons), but if it is lowered four feet it holds only 130,000 acre feet (42,470 million gallons), a reduction of 24%.

Because of Cheney's importance, staff recommends against lowering the reservoir levels for the sole purpose of doing an inspection. Local structural engineers who

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have inspected the dam have already identified numerous areas that need to be repaired. It is estimated that a contractor would only be able to do about \$500,000 of work during the winter period if the reservoir is lowered in the fall, and then allowed to fill in the spring. Staff recommends the City tentatively plan to lower the reservoir later this year (October) to inspect the dam, but also have a contract to do at least some repairs at that time. While the water is lowered it will be possible to identify and prioritize repair locations, so that if all of the repairs can not be completed at that time, a construction plan can be created for the next time that it would be possible to lower the reservoir. However, it is recommend that the reservoir be lowered only if the long range weather forecast predicts average, or above average, precipitation during the spring of 2000. Notification would be provided to the Kansas Dept. of Wildlife and Parks and the other major lake users so that they would be able to schedule activities that they may want to do while the reservoir levels are lower.

In order to comply with the ~~A~~Comprehensive Facility Review for Cheney Dam®, the City needs to try to lower the water level in the reservoir to inspect the dam. The alternatives for the City Council to consider are:

- 1) Approve a project to do repairs while the water levels are lowered in 1999-2000.
- 2) Do not approve a project at this time, but instruct staff to perform inspection activity only while the water levels are lowered in 1999-2000, and use the information gathered during that inspection to plan a project to be completed in succeeding years.

The estimated cost of repairs possible during the winter season is \$500,000. In order to fund these repairs, the CIP must be amended.

The City's Administrative Regulations require that projects with costs in excess of \$10,000 be submitted to the Council to initiate the project.

Motion --

Knight moved that Staff be authorized to begin a project to make repairs to the face of Cheney Dam; an amendment to the CIP be authorized and a project be created with a budget of \$500,000; the Resolution be adopted; and notice of intent to publish be approved. Motion carried 7 to 0.

-- carried

RESOLUTION NO. R-99-141

A Resolution of the City of Wichita, Kansas, declaring it necessary to construct, reconstruct, alter, repair, improve, extend and enlarge the water and sewer utility owned and operated by the City, and to issue revenue bonds in a total principal amount which shall not exceed \$500,000 exclusive of financing costs, for the purpose of paying certain costs thereof, and providing for the giving of notice of such intention in the manner required by law. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

WELFARE TO WORK APP.

SECTION 8 WELFARE TO WORK RENTAL VOUCHER APPLICATION.

Agenda Report No. 99-398.

WHA is applying for 200 rental vouchers. The WHA has coordinated with SRS and the Welfare to Work administrator and other community organizations which provide job training and other work force development services to ensure that the housing assistance is incorporated as an element of the total assistance available to assist welfare clients make the transition to successful participation in the work force.

Motion -- carried

Knight moved that the application submittal be authorized. Motion carried 7 to 0.

LANE & WATER PETITIONS

PETITION FOR DECEL LANE, LEFT TURN LANE AND WATER DISTRIBUTION SYSTEM TO SERVE LOT 11, BLOCK 2, HORSESHOE LAKE ADDITION - NORTH OF 21ST STREET, EAST OF RIDGE. (District V)

Agenda Report No. 99-399.

The Petition has been signed by one owner representing 100% of the improvement district.

These improvements will serve a new restaurant.

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The estimated project cost is \$75,600. The funding source is special assessments.

Motion --
-- carried

Knight moved that the Petition be approved and the Resolution be adopted.
Motion carried 7 to 0.

RESOLUTION NO. R-99-142

Resolution of findings of advisability and Resolution authorizing improving of 21st North from the west line of Lot 11, Block 2, Horseshoe Lake Addition to the east line of Lot 11, Block 2, Horseshoe Lake Addition, consisting of a deceleration lane for right turns and a lane for left turns and a water distribution system to serve Lot 11, Block 2, Horseshoe Lake Addition, Project No. 472-83102 (north of 21st, east of Ridge) in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

BUDGET ADJUSTMENT

BUDGET ADJUSTMENT FOR AN AIR COMPRESSOR. (District I)

Agenda Report No. 99-400.

Trade shows at Century II and Expo Hall often use large quantities of compressed air. The area in Expo Hall is not a problem, since portable compressors are easily set-up. However, in the Century II basement, portable equipment presents a number of problems. Portable engine powered equipment would cause potential hazards, and temporary power to operate portable electric compressors also presents hazards. Wichita Industrial Trade Show (WITS) is the largest industrial trade show west of the Mississippi. WITS has serious problems providing enough temporary air for their exhibitors, and have expressed concerns about keeping the Trade Show at Century II if a better supply of compressed air is not provided by the City.

An air compressor for Century II is included in the 1999 Adopted Budget, with \$24,000 for the purchase and installation. A generator with the necessary capacity is available for the amount budgeted, but would not include installation. To stay within the budgeted amount, Public Works employees will install the generator.

The air compressor is a Capital Outlay purchase, however, \$24,000 is budgeted for this as a contractual expense in the Adopted Budget. A Budget Adjustment is needed to move the budgeted funds to Capital Outlay.

Motion --
-- carried

Knight moved that the budget adjustment be approved. Motion carried 7 to 0.

ADDENDUM ITEM 21a NIC OVERSIGHT

NORTH INDUSTRIAL CORRIDOR - PAYMENT OF OVERSIGHT COSTS.

Agenda Report No. 99-405.

The City entered into a Settlement Agreement with the Kansas Department of Health and Environment (KDHE) November 14, 1995, under which the City agreed to complete the investigation and remediation of the North Industrial Corridor (NIC) Site. A portion of the NIC site, the former 29th & Mead Site, was taken off the list as an EPA Superfund Site in April, 1996, as a result of the City of Wichita's agreement. As part of the Project, a group of 26 area businesses agreed to assist in the funding of the investigation and to participate in the allocation of their fair share of responsibility for the costs of the Site.

The Environmental Protection Agency (EPA) has now demanded payment of past oversight costs it claims to have incurred at the Site. The City and 10 businesses in the Site have reached agreement with EPA on a reimbursement plan. A letter of understanding and tolling agreement are necessary at this time; this will be followed by a formal consent agreement.

The City's portion of the oversight costs is not to exceed \$125,000 plus interest and will be paid from the NIC Tax Increment Financing budget. The oversight costs paid by the City and the other parties will be reallocated to the responsible parties when Project is completed.

Motion --
-- carried

Knight moved that the Agreements and necessary signatures be approved. Motion carried 7 to 0.

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STREET LIGHT RESOLUTION #3-99.

Motion -- carried

Knight moved that the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. R-99-143

A Resolution authorizing and directing Kansas Gas and Electric, a Western Resources Company, to install and/or change certain street lights in the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

ORDINANCES

SECOND READING ORDINANCES: (First read April 20, 1999)

a. Harry Street improvement from Webb to Greenwich. (District II)

ORDINANCE NO. 44-240

An Ordinance declaring Harry Street, from Webb to Greenwich (472-83091) to be main trafficways within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements on said main trafficway; and setting forth the nature of said improvements, the estimated costs there-of and the manner of payment of the same, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

b. Thirteenth Street North improvement, Rock Road to one-half mile east. (District II)

ORDINANCE NO. 44-241

An Ordinance declaring 13th Street North, from Rock Road to 2 mile east of Rock Road (472-83028) to be a main trafficways within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements on said main trafficway; and setting forth the nature of said improvements, the estimated costs there-of and the manner of payment of the same, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

c. Economic development and five year tax exemptions - Excel Corporation. (District VI)

ORDINANCE NO. 44-242

An Ordinance amending Section I of Ordinance No. 41-650 of The City of Wichita, Kansas, pertaining to exemption of property from ad valorem taxation for economic development purposes pursuant to Article II, Section 13, of the Kansas Constitution; providing the terms and conditions for ad valorem tax exemption, and describing the property of Excel Corporation so exempted, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

d. Dp-241/SCZ-0785 - east of Tyler, north of Maple. (District V)

ORDINANCE NO. 44-243

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by Section 28.04.210, the Code of the City of Wichita, Kansas, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight. Z-3277

e. Z-3277 - east side of Tyler, north of Maple. (District V)

ORDINANCE NO. 44-244

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by Section 28.04.210, the Code of the City of Wichita, Kansas, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight. Z-3277

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- f. Z-3314 - approximately 78 feet east of the northeast corner of Stadium Drive and Grove. (District I)

ORDINANCE NO. 44-245

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by Section 28.04.210, the Code of the City of Wichita, Kansas, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight Z-3314

- g. A 99-7 - annexation of property generally located at the northwest corner of 127th Street East and Central Avenue. (District II)

ORDINANCE NO. 44-246

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight. A 99-7

- h. A 99-17 - annexation of property generally located south of 21st Street North and east of K-96 Highway. (District II)

ORDINANCE NO. 44-247

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight. A- 99-17

PLANNING AGENDA

Motion --
-- carried

Knight moved that the Planning Agenda Items be approved as consensus Items. Motion carried 7 to 0.

V-2080

V-2080 - PUBLIC HEARING REQUEST TO VACATE A PORTION OF WATERMAN STREET LOCATED IN AN AREA FROM CIRCLE DRIVE TO BLUFF, GENERALLY SOUTH OF DOUGLAS AVENUE AND EAST OF HILLSIDE. (District II)

Agenda Report No. 99-401.

Staff Recommendation: Approve vacation of a portion of Waterman Street.
MAPC Recommendation: Approve vacation of a portion of Waterman Street.

The applicant is requesting to vacate the right-of-way for Waterman Street obtained by Warranty Deed in 1917 from Mr. and Mrs. Merriman, who originally platted this area as Merriman Park. The area to be vacated includes the entire Waterman right-of-way from Circle Drive to Bluff, but excludes the existing sidewalk just north of vacated Waterman. The street was not a part of the original plat and the right-of-way was deeded from the Reserve Area.

Waterman Street is not an open street at this location; however there is a short Astub@ in existence with curbing and gravel surface from Circle Drive to the east end of the applicant's property. This portion of the Astreet@ provides access to the applicant's garage. The applicant wishes to obtain ownership of the land of the land adjacent to his lot in order to provide better control of the usage of that Astreet@ area.

The Park Board has reviewed and approved this request. If this vacation is approved, the Park Board is expected to transfer the title of the north half right-of-way to the applicant maintaining a five foot public access easement. The Board wanted to ensure that a five foot public access easement would be retained along the north edge of the right-of-way, where an existing sidewalk is located.

No one spoke in opposition to this request at the MAPCs public hearing, and the MAPC voted to approve the vacation, adopting the findings of fact that are

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incorporated in the Vacation Order, subject to the applicant providing a survey to

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determine the exact location of the existing drive and any utilities, prior to the case being set for hearing before the Wichita City Council, and that any portion of the Waterman Street right-of-way presently utilized by any utilities be retained as a utility easement. The applicant has submitted a survey which shows the existing utility line in Waterman, and therefore the entire street right-of-way will be retained as a utility easement through the Vacation Order. The vacation order also retains the north five feet of the right-of-way as a sidewalk easement.

A certified copy of the Vacation Order will be recorded with the Register of Deeds.

Motion --
-- carried

Knight moved that the Public Hearing be closed; the Vacation be approved and the necessary signatures be authorized. Motion carried 7 to 0.

V-2138

V-2138 - REQUEST TO VACATE PLATTED BUILDING SETBACK LOCATED IN AN AREA SOUTH OF PAWNEE AND WEST OF SENECA. (District IV)

Agenda Report No. 99-402.

Staff Recommendation: Approve vacation of platted building setback.
MAPC Recommendation: Approve vacation of platted building setback

The applicant is requesting to vacate a portion of a platted building setback to allow for the construction of an ATM. The piece of property is part of Parcel 1 of the Westway Shopping Center C.U.P. (DP-21).

No one spoke in opposition to this request at the MAPCs advertised public hearing, and the MAPC voted to approve the vacation, adopting the findings of fact that are incorporated in the Vacation Order, subject to the applicant adjusting the C.U.P. to reduce the building setback shown on Parcel 1 to allow for the construction of an ATM and the site being developed in conformance with the approved site plan. The applicant has filed an administrative adjustment to reduce the building setback on the C.U.P. No written protests have been filed.

A certified copy of the Vacation Order will be recorded with the Register of Deeds.

Motion --
-- carried

Knight moved that the Vacation be approved and the necessary signatures be authorized. Motion carried 7 to 0.

S/D 98-107

S/D 98-107 - PLAT OF ASHBROOK MEADOWS AT CHISHOLM CREEK ADDITION LOCATED AT THE SOUTHWEST CORNER OF 85TH STREET NORTH AND OLIVER.

Agenda Report No. 99-403.

MAPC Recommendation: Approve the Plat.
Staff Recommendation: Approve the Plat.

Motion --
-- carried

Knight moved that the plat be approved and the necessary signatures be authorized. Motion carried 7 to 0.

EXECUTIVE SESSION

Motion --

-- carried

Knight moved that the City Council recess into executive session to consider consultation with legal counsel on matters privileged in the attorney-client relationship relating to potential litigation and legal advice; personnel matters of non-elected personnel; preliminary discussions relating to the acquisition of real property for public purposes; and that the Council return to regular session no earlier than 11:30 a.m. Motion carried 7 to 0.

RECESS

The City Council recessed at 10:55 a.m. and reconvened at 11:55 a.m.

Vice Mayor Rogers

Vice Mayor Rogers announced that no action was necessary as a result of the executive session.

ADJOURNMENT

The City Council meeting adjourned at 11:55 a.m.

Pat Burnett
City Clerk